

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
November 25, 2014

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Bruce Young	Councilmember
EXCUSED:	Mike LeBaron	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Kelly Bennett	Police Sergeant
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Scott Hess	Development Services Manager
	Rich Knapp	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Antone Clark – Standard Examiner, Kathryn Murray, Mark Cram – Siemens, Lin Alder – McKinstry, John W Hansen – Developer, Brad Allen – Realtor

Mayor Shepherd called the meeting to order at 6:03 p.m.

DISCUSSION ON THE “NAME THAT PARK” CONTEST

Eric Howes, Community Services Director, reminded the Council that the City was conducting a “Name that Park” contest to select an official name for the park located on the corner of South Main and Gordon Avenue which had been referred to as West Park Village Park. He reported the City received 70 submissions and the Parks and Recreation Commission had narrowed consideration down to 11. He presented the proposed 11 names to the Council and it discussed the submissions. The Council selected the name of Cornerstone Park.

DISCUSSION ON PROPOSED ZONING TEXT AMENDMENTS TO TITLE 11, CHAPTER 11E, DOWNTOWN REDEVELOPMENT (D-R) ZONE

Scott Hess, Development Services Manager, explained the Downtown Redevelopment (D-R) zone was established in approximately 2009. He stated when it was originally approved the City Code represented a best guess for the type of development the City believed would take place in the downtown area. He reported the Planning Commission had the opportunity to review the

proposed text amendments. He indicated the Staff Report differed slightly from the proposed language recommended and approved by the Planning Commission. Mr. Hess reviewed the proposed ordinance with the Council:

- Change the language from “downtown areas” to be more inclusive and applicable to encourage development in other areas of the City.
- Include more specific verbiage to final approval in the development agreement.
- Forego or limit the requirement of the ground floor consisting of commercial/retail development.
- Change the minimum square footage requirement specific to the residential component.

Mr. Hess expressed his opinion the changes would be attractive to developers and wouldn't necessarily change what had been previously approved by the City Council.

Councilmember Bush expressed concern about the possibility of a development in which all residential units consisted of only 700 square feet. Mr. Hess believed the market would dictate the size of the residential units and shared some examples. JJ Allen, Assistant City Manager, reported during the Planning Commission's discussion it was determined the City could negotiate the number of those units within the development agreement. Mr. Hess believed the City would need to complete a project or two in order to fully understand what the regulations should be and how they would be administered. Councilmember Young inquired if the proposed zoning text amendments still gave the City the opportunity to deny development if it was something that wouldn't benefit the City. Mr. Hess pointed out the Council had the authority to approve the development agreement. A discussion took place regarding locations in which the proposed D-R zone could be applied. Mr. Hess pointed out the intent of the D-R zone was to promote development in commercial corridors.

DISCUSSION ON THE AGREEMENT WITH THE SALT LAKE CHAMBER OF COMMERCE ON TRANSPORTATION FUNDING

Adam Lenhard, City Manager, stated transportation funding was currently an issue that communities would need to address in the near future. He reported the Utah League of Cities and Towns (ULCT) and the Salt Lake Chamber of Commerce had partnered and created the Utah Transportation Coalition and was requesting support from participating cities. The Coalition was requesting a \$1,000 contribution from the City in exchange for a tool kit consisting of advertising, social media education, information to be provided on the City's website or in with utility billing, Legislative advocacy to provide transportation solutions. He announced staff believed the project was worth supporting and recommended approval of the Agreement. Mayor Shepherd asked if there was any objection to the Agreement. There was no objection from the Council.

DISCUSSION ON THE AWARD OF BID FOR JANITORIAL SERVICES

Eric Howes, Community Services Director, reported the janitorial contract was large and staff was requested to evaluate options related to the contract to reduce overall costs. He mentioned one of the options originally considered was providing in house janitorial services which would

cost the City approximately \$96,000 in labor costs alone. He expressed his opinion there would not be a recognized cost savings with that option.

Mr. Howes reported the City had completed a Request for Proposal (RFP) process and the City received seven proposals which varied in costs and services significantly. He stated he was not currently prepared to make a recommendation on the award for the series because he wanted to further study the submitted bids and request a best and final offer from the potential vendors. He pointed out the contract was for all City facilities.

Adam Lenhard, City Manager, pointed out the extensive scope of services provided by the janitorial vendor and expressed his support for Mr. Howes' further study of the proposals.

DISCUSSION ON THE AWARD OF BID FOR AN ENERGY PERFORMANCE CONTRACT

Eric Howes, Community Services Director, mentioned the Energy Performance Contract was a non-budgeted item which would need to be addressed through an amendment to the budget in January. He explained it was the City's hope to realize some cost savings by upgrading to energy efficient materials in its light fixtures, boiler systems, etc. and using that cost savings to fund the improvements. He mentioned the City would also recognize a cost savings in credits which would be received through utility providers.

Curtis Dickson, Community Services Deputy Director, stated two bids were received and he further clarified the project was a budget neutral way in which upgrades could be completed for lighting, mechanical systems, etc. for energy performance. He pointed out the costs associated with the contract were guaranteed performance based and shared an example of those costs.

Mr. Howes stated the City had thoroughly evaluated both proposals and emphasized both companies would do a good job for the City. He announced it was his recommendation the contract be awarded to McKinstry. Adam Lenhard, City Manager, reminded the Council that the City had considered a similar contract approximately two years ago. He stated funds for the project would be recognized in the fund balance.

Councilmember Bush moved to adjourn the work session and reconvene in a CDRA work session at 6:40 p.m., seconded by Councilmember Jones. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones and Young. Voting NO – None. Councilmembers LeBaron was not present for the vote.

The minutes for the CDRA are in a separate location

The work session reconvened at 7:35 p.m.

DISCUSSION ON CITY CODE – TITLE 11, CHAPTER 11C COMMERCIAL RESIDENTIAL (CR) ZONE IN RELATION TO THE DEVELOPMENT OF PROPERTY LOCATED AT APPROXIMATELY 938 SOUTH 2000 EAST, CLEARFIELD

Scott Hess, Development Services Manager, informed the Council that the property was located on the west side of University Park Boulevard and was currently in the process for a rezone from Commercial (C-2) to Commercial-Residential (C-R). He stated the rezone would allow high quality family homes on the back western portion of the property and, at the Planning Commission's request, commercial along University Park Boulevard. He reported the Planning Commission had recommended approval with conditions and pointed out the rezone was contingent upon the execution of a development agreement. He stated the development agreement would identify specifics such as materials, landscaping, two car garages, etc. The development agreement would also call for the commercial development to occur prior to the residential component. Mr. Hess pointed out the development would be significantly smaller than the Clearfield Station development. He stated the developer had requested to address the Council since a zoning text amendment would also be needed to facilitate the development as proposed by the developer.

John Hansen, Developer representing Mr. Rosenberg, property owner, referred to the plat and pointed out the topography challenges associated with any possible development of the property. Mr. Hess pointed out the CR Zone was put in place as a best guess for the type of zoning the City could expect for future development in these types of locations. Mr. Hansen indicated the development would be accessed by a new road which would dead end at a future City park/parking lot. He continued the road would be built to City standards and be dedicated to the City.

Mr. Hansen reported he had marketed the property for commercial purposes for several years and there had been no interest. He requested the Council modify the zoning which would allow them to begin building and placing a deed restriction on the property designating the future commercial development. Brad Allen, Realtor, stated commercial development would be viable in the long term but didn't believe there was a market for that at this time.

Mr. Hansen emphasized they were requesting a timing allowance which would allow them to begin building the twin townhomes at the rear of the property and placing a deed restriction on the proposed commercial development. He believed they could meet all other requirements such as the square footage. He believed the deed restriction should provide some assurances and comfort to the City.

Councilmember Bush inquired if the townhomes would be for sale units or rentals. Mr. Hansen responded they would be sold and some purchasers could rent them. Councilmember Benson inquired if all units would consist of three bedrooms. Brad Allen, Realtor, explained the homes would be three bedrooms, two bath, consisting of 1500 square feet. He added they would also have two car garages with a sales price of approximately \$190,000-\$210,000 price range. Mayor Shepherd indicated there currently was a demand for this type of housing and price.

Mr. Hansen believed timing was of the essence to work with the developer of the parking lot for the Exetor building. He indicated they had a significant amount of dirt which would need to be moved in order to begin construction which could be used for the parking lot.

Councilmember Bush inquired if all residential units would be built prior to the commercial. Mr. Hansen responded once someone was interested in the commercial component they would begin building it. Mayor Shepherd inquired what would need to happen for the City to allow for Mr. Hansen's request. Mr. Hess indicated the City could designate construction could begin on the residential component "performance" based or "hardship" based or "development agreement" based. He believed if the Council approved a Zoning Text Amendment it would be applicable to all areas of the City and open the door for other developers to do the same thing in another location. He announced building permits had increased and believed the market would begin demanding something that wasn't currently provided. He asked if the Council wanted to open it up altogether or require development to be discussion based through a development agreement.

Councilmember Young expressed concern whether the developer was setting the commercial component aside in order to complete the residential and suggested the commercial might not ever happen. Mr. Hess pointed out the difficulty with commercial development in the City and used the Winegar's area at 300 North/1000 West to illustrate his point.

Mayor Shepherd commented he could approve the development with the deed restriction put in place. Mr. Hansen informed the Council that he would be purchasing the property and would be motivated to actively develop the commercial component. Mr. Hess commented the City had a wide breadth of ability to reject or approve a rezone request which would allow the City to recognize its long term vision. Brian Brower, City Attorney, emphasized the City would have no guarantee the commercial component would ever develop.

Councilmember Bush asked if the City could restrict development through language in the zoning ordinance. Mr. Brower indicated the City had just done that during the previous policy session for the DR Zone. Councilmember Bush stated he wasn't comfortable with the change city wide. Mr. Hansen emphasized he would make the future commercial pads look like developable pads in order to encourage the sale for development.

Following the discussion, several Councilmembers expressed their willingness to consider a Zoning Text Amendment brought forward by the developer.

The meeting adjourned at 8:10 p.m.

**APPROVED AND ADOPTED
This 27th day of January, 2015**

/s/Mark R. Shepherd, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, November 25, 2014.

/s/Nancy R. Dean, City Recorder